

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR MULTIPLE MERCHANTS

the specification of which

(check one) xx is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
or Express Mail No. \_\_\_\_\_, as  
Serial No. not yet known, and was amended  
on \_\_\_\_\_ (if applicable).

\_\_\_\_\_ was described and claimed in PCT  
International Application No. \_\_\_\_\_,  
filed on \_\_\_\_\_, and as amended  
under PCT Article 19 on \_\_\_\_\_  
(if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) and/or PCT international application(s) designating the United States that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application.

<u>07/797,401</u> (Application Serial No.)	<u>November 26, 1991</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>07/510,446</u> (Application Serial No.)	<u>April 18, 1990</u> (Filing Date)	<u>Patented</u> (Status) (patented, pending, abandoned)
<u>07/303,319</u> (Application Serial No.)	<u>January 27, 1989</u> (Filing Date)	<u>Patented</u> (Status) (patented, pending, abandoned)

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And, I hereby appoint Herbert C. Brinkman (R. No. 16,955), William G. Konold (R. No. 17,070), Richard H. Evans (R. No. 19,755), John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), A. Ralph Navaro, Jr. (R. No. 23,050), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Joseph R. Jordan (R. No. 25,686), David M. Lockman (R. No. 34,214), Wayne L. Jacobs (R. No. 35,553), Harold C. Knecht III (R. No. 35,576), Kurt A. Summe (R. No. 35,023), and Kevin R. Rooney (R. No. P36,023) in care of Kurt L. Grossman, Wood, Herron & Evans, 2700 Carew Tower, Cincinnati, Ohio 45202, and telephone No. 513-241-2324, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence should be sent to Kurt L. Grossman, Wood, Herron & Evans, 2700 Carew Tower, Cincinnati, Ohio 45202.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00  
Patrick D. McCarthy

Full name of sole or first inventor

X Patrick D. McCarthy  
Inventor's Signature

X 10/1/92  
Date

4384 Bowling Boulevard, Louisville, Kentucky 40207  
Residence

USA

Citizenship

Same as above

Post Office Address

mcy07.doc

Applicant or Patentee: Patrick D. McCarthy Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR  
MULTIPLE MERCHANTS



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Health Education Retirement Organization, Inc.  
ADDRESS OF CONCERN 2395 Sumter Lake Drive, Marietta, Georgia 30062

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR MULTIPLE MERCHANTS by inventor(s) described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING X Gary M. Austin  
TITLE OF PERSON OTHER THAN OWNER X President/CEO  
ADDRESS OF PERSON SIGNING X 2395 Sumter Lake Dr. Marietta, GA. 30062  
SIGNATURE X Gary M. Austin DATE X 10/22/92

Applicant or Patentee: Patrick D. McCarthy Attorney's  
 Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
 Filed or Issued: \_\_\_\_\_  
 For: CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR MULTIPLE  
MERCHANTS



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled CENTRALIZED CONSUMER CASH VALUE ACCUMULATION described in SYSTEM FOR MULTIPLE MERCHANTS

☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME Health Education Retirement Organization, Inc.  
 ADDRESS 2205 Summer Lake Drive, Marietta, Georgia 30062  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Patrick D. McCarthy

NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
<u>Patrick D. McCarthy</u>		
Signature of Inventor	Signature of Inventor	Signature of Inventor
<u>10/1/92</u>		
Date	Date	Date